

## Inmate Law Library

### 708.1 POLICY

All inmates will be provided reasonable access to legal reference materials as described in Section 1064 of Title 15, California code of Regulations. To accomplish this, the Shasta County Sheriffs Office has contracted with Legal Research Associates to provide legal reference material exclusively for the inmates housed in the Shasta County Jail. The Inmate Welfare Fund will pay for the legal reference materials supplied to the inmates. (NOTE: The Legal Research Associates services are those of a law library and do not serve as legal counsel to inmates.)

### 708.2 DEFINITION

**LEGAL RESEARCH ASSOCIATES (L.R.A.)** - *A contract service provider who offers legal research services at the request of an inmate.*

### 708.3 GENERAL

This service is provided at no cost to the inmate. This service does not take the place of, or act as, the inmates attorney. Legal Research Associates will respond to a request for legal information made by inmates on the legal research request forms forwarded to L.R.A. through the tablet system. Requests will be forwarded to Legal Research Associates based on the following access limitations:

The following inmates will not be limited in the number of legal request forms they may submit related to a pending case:

Inmates who are representing themselves in a civil action as a defendant.

Inmates who are representing themselves in a criminal case.

Inmates who are representing themselves in 42 U.S.C. Section 1983 action or writs of habeas corpus.

Inmates who are being held in Shasta County custody by the Department of Homeland Security (I.C.E.) Will not be limited in the number of forms they may submit.

The following inmates will be permitted to submit a legal request form **once every thirty days:**

**NOTE:** *For good cause shown, an inmate may be permitted more frequent requests. The Watch Commander or his/her designee will make this determination.*

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Inmates who are representing themselves as a plaintiff in a civil action unrelated to their civil rights or criminal proceedings, i.e. a dissolution or property dispute.

All inmates who are represented by legal counsel in regard to pending criminal matters, writs of habeas corpus, and/or appeals.

All inmates who are represented by legal counsel in regard to any private civil matters to which they are a party.

Any staff member who determines that an inmate is being untruthful about their legal status (i.e. pro per), or is abusing the system through their unlimited use (i.e. I.C.E. or pro per inmates) relating to law library access, will notify the Watch Commander for possible disciplinary action. Additionally, the Watch Commander may suspend an inmates access to L.R.A. services for up to 30 or 60 days, depending on which category the inmates falls into as described within this policy.

### **708.4 CORRECTIONAL STAFF**

#### 708.4.1 PROHIBITION

**ALL STAFF MEMBERS ARE PROHIBITED FROM READING THE LEGAL QUESTIONS SUBMITTED TO LRA, LRA RESPONSES OR PHOTOCOPYING LEGAL REQUESTS OR RESPONSES FROM LRA OR OTHER LEGAL MATERIAL.**

#### 708.4.2 PROCESS

Correctional staff will provide reasonable access to tablets to submit Legal Research Request Forms.

#### **Correctional staff will:**

**Correctional staff will distribute packets received by LRA in a reasonable time. If an inmate is no longer in custody, the packet shall be destroyed.**

In the event the tablet system is disabled for an extended period of time, the following procedure shall apply:

- Log the request into the LRA request log book and a tracking log number will be written on each request, regardless of eligibility.
- Determine the eligibility of inmate requesting LRA services.
- Make an entry in the Legal Research Request Form Log, listing:
  - The name of requesting inmate and housing location
  - The Request Form Tracking Log Number.
  - The date the request was faxed to Legal Research Associates

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- The date the materials (or other answer to the request) were received from Legal Research Associates.
- The date the packet was delivered to the inmate (if no longer in custody the packet is logged and destroyed).
- If the inmate has used his/her allotment of requests, return the request to the inmate with a notice indicating the soonest date on which

the inmate may re-submit the request.

- Enter the request in the Legal Research Request Form log indicating the request was rejected because the inmate had used his/her

allotment of requests. Once the request form has been numbered fax the form to:

Legal Research Associates

Fax (510) 581-3748

Return request form to inmate.

Contact Legal Research Associates to follow up on any requests with no response within three business days of the time stamp.

NOTE: LRA will take steps to insure that inmates do not make duplicate requests for the same materials.

During mail delivery, Correctional staff will distribute the legal packets to the requesting inmates.

Correctional staff will have the inmate sign the attached Legal Material Receipt Form and place it in the inmates file.

### **708.5 INMATE GRIEVANCES REGARDING LRA**

Upon receipt of a grievance regarding the LRA services, the Watch Commander will forward the grievance to LRA.

LRA in turn, will fax a response to the inmate's grievance to the Watch Commander for review and approval. Upon approval, the Watch Commander will log the grievance and forward a copy to the inmate.